

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

ATTORNEY'S DOCKET NUMBER

31725-77991

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/535357INTERNATIONAL APPLICATION NO.
PCT/US03/37526INTERNATIONAL FILING DATE
24 November 2003PRIORITY DATE CLAIMED
25 November 2002

TITLE OF INVENTION

COMPOSITION AND METHOD FOR INHIBITION OF MICROORGANISMS

APPLICANT(S) FOR DO/EO/US

DOYLE, Michael P., et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 446 881 188 US**
23. ☐ Other items or information:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/535357		INTERNATIONAL APPLICATION NO. PCT/US03/37526		ATTORNEY'S DOCKET NUMBER 31725-77991	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input checked="" type="checkbox"/> Basic national fee		\$300		\$	\$300.00
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).		\$100		\$	\$200.00
All other situations.		\$200			
26. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared and provided to the Office		\$400		\$	\$100.00
All other situations.		\$500			
TOTAL OF 24, 25 and 26 =				\$	\$600.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
- 100 =	0 /50 =	0	x \$250.00	\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	35 - 20 =	15	x \$50.00	\$	\$750.00
Independent claims	15 - 3 =	12	x \$200.00	\$	\$2,400.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$3,750.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$3,750.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$3,750.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$40.00
TOTAL FEES ENCLOSED =				\$	\$3,790.00
				Amount to be	\$
				Amount to be	\$

- a. ☒ A check in the amount of \$ **\$3,790.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **10-0435**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Bradford G. ADDISON, Esq.
BARNES & THORNBURG LLP
11 South Meridian Street
Indianapolis, IN 46204

SIGNATURE

Bradford G. Addison

NAME

41,486

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney)
Docket: 31725-77991)
Applicants: Michael P. DOYLE, et al.)
Invention: COMPOSITION AND)
METHOD FOR INHIBITION)
OF MICROORGANISMS)
U.S. Serial No.: UNKNOWN)
International)
Serial No: PCT/US2003/037526)
International)
Filing Date: November 24, 2003)
Earliest
Priority Date: November 25, 2002

CERTIFICATE UNDER 37 C.F.R. § 1.10

Attention: DO/EO/US
Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

"Express Mail" Mailing Label No.: EV 446 881 188 US

Date of Deposit: 18 May 2005 (18.05.05)

I hereby certify that this paper or fee is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: DO/EO/US.


Heather L. Behlmer

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Earliest Priority Date. 25 November 2002

International Serial No.: PCT/US2003/037526

U.S. Serial No.: Unknown

Invention: **COMPOSITION AND
METHOD FOR INHIBITION
OF MICROORGANISMS**

Inventors: Michael P. DOYLE, et al.

International Filing Date: 24 November 2003

Attorney Docket: 31725-77991

Examiner: Unknown

Group: Unknown

Certificate Under 37 CFR 1.10

Express Mail No.: EV 446 881 188 US
Date of Deposit: 18 May 2005 (18.05.05)

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Heather L. Behlmer

Typed Name of Person Mailing Paper or Fee

Heather L. Behlmer
Signature of Person Mailing Paper or Fee

LETTER ACCOMPANYING DECLARATION AND INDICATING TEN PRACTITIONERS PURSUANT TO 37 CFR 1.32(c)(3)

Mail Stop: PCT
Attention: DO/EO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Agent for Applicants Michael P. Doyle, et al. who signed the Declaration and Power of Attorney--Patent Application for the U.S. national phase of PCT application no. PCT/US2003/037526 filed November 24, 2003, indicates the following ten (10) practitioners to be recognized by the United States Patent Office as being of record under Customer No. 23643 in the above-identified application: